1   that that is in fact a legitimate use of the telephone

2   number, whether it be in all area codes or one area code.

3   And we just wanted to clarify that.

4          MS. GORNEY:  Okay.

5          MR. HELLICKSON:  Jennifer, I'd make a point on

6   numbering brokering, if I could.

7          MS. GORNEY:  Okay.

8          MR. HELLICKSON:  Ad Hoc has previously supported a

9   proposal for authority number brokers by allowing companies

10  whistle-blower protections.  If a whistle-blower turns in a

11  number broker, we believe they should automatically receive

12  that number.  Under the current regulations, there's no

13  incentive for a company to turn in the broker because it

14  probably will mean that said company would never receive

15  that number.  So we just want that to be taken into

16  consideration.

17         MS. GORNEY:  Okay.  And Megan, from SNAC, please?

18         MS. CAMPBELL:  Megan Campbell, ATIS.  Thanks.  I

19  relinquished the mike too quickly when I initially responded

20  to this.  But the SNAC did respond to one of the sub-bullets

21  regarding the more close tracking of the RespOrg activities.

22  And basically they felt that that wasn't necessary and that

23  there was some merit in using the escalation procedures that

24  are currently in place with DSMI, some of those activities.

25         MS. GORNEY:  Okay.  And anyone else have any

1   comments?  No?  Okay.  All right.

2           MR. BROTHERS:  Jennifer?

3           MS. GORNEY:  Yes?

4           MR. BROTHERS:  Art Brothers, Beehive, again.

5   Maybe a thousand dollars every time they make a mistake.

6           MS. GORNEY:  Pardon?

7           MR. BROTHERS:  That would give them a little

8   incentive.

9           MS. GORNEY:  Who makes a mistake?

10           MR. BROTHERS:  DSMI does a transfer, an

11   unauthorized transfer.

12           MS. GORNEY:  Okay.

13           MR. PATEL:  May I?

14           MS. GORNEY:  Yes.  Anil?

15           MR. PATEL:  Just for the record, DSMI doesn't

16   transfer numbers.

17           MR. BROTHERS:  Whoever does.

18           MS. GORNEY:  Okay.  So whoever transfers the

19   numbers, a fine for them.  Okay.

20           MR. BROTHERS:  Whoever runs the database.

21           MS. GORNEY:  Okay.  Then we're going to move on to

22   the last question in our segment here of, I guess it's part

23   one of three in our forum.  And we're asking, should the

24   toll-fee administrator -- wait a minute -- let me just --

25   scratch that.  Sorry.  Okay.  Now we're on it.

1          To ensure that the first-come, first-serve policy

2     operates effectively, what changes could be made to the

3     current system or industry procedures?  Also, should the

4     Commission implement policies or procedures to equalize

5     access to the toll-free database among users of Mechanized

6     Generic Interface, Generic User Interface, and dial-up.  And

7     I'm going to ask members of AFTA to speak first on this.

8          MR. FISHMAN:  This is Eric Fishman, from AFTA.  We

9     have two brief comments.  First of all, we have spoken out

10    on this issue in a number of pleadings in which we have

11    documented a whole variety of problems that have occurred

12    during the prior rollouts, the 866 rollouts, the 877 also.

13    And we strongly feel that there needs to be a level playing

14    field between those users of MGI, of GUI, the Generic User

15    Interfacing of Dialogue.  In the past, what has happened is

16    that, from our perspective, is that the MGI interface has --

17    those users have clogged the system, making it virtually

18    impossible in many cases, for users of the GUI and the dial-

19    up interface to obtain the numbers that they need.  And so

20    our first recommendation is that the Commission should

21    consider creating a level field by requiring internet access

22    for all parties.

23          The other point that I wanted to make is that, in

24    our mind, this issue dovetails, as did the previous issue

25    that we were discussing, with the matter of brokering.  If a

1  number has been unlawfully taken from an existing user, or

2  if a user of dial-up interface has not been able to obtain a

3  number because of problems in a rollout, very often -- well

4  actually in many cases, the only practical way for the user

5  to obtain that number would be to purchase it from whoever

6  did obtain that number.  It's not always so simple to simply

7  ask that the number be returned.  Sometimes there would need

8  to be some sort of business transaction.  And so that's

9  something that we think the Commission needs to consider in

10  terms of addressing the practical effects of what happens if

11  a number is unlawfully taken or is not obtained because of

12  inequities in the present system.

13          MS. GORNEY:  Okay.  Could I have Steve Levinn,

14  from CSF?

15          MR. LEVINN:  This is Steve Levinn.  There is

16  really two or three issues being addressed here.  One is on

17  reservations, and that breaks into two areas that I think

18  are the most concerned.  And one is with the code opening,

19  and one is in generally getting reservations.

20          Again, there has been a perception in the industry

21  that MGI users have an advantage.  And the reality is the

22  advantage is speed, and there are some online users right

23  now who can pump reservation requests through the system as

24  fast or faster than MGI customers can.  And they've proven

25  to do it, and some studies have been done, and there are

1    millisecond responses they're getting.  So it's a technology

2    question and whether you want to make the investment in

3    technology to get an advantage.  If you said everyone had to

4    use online, there are still customers that would have a

5    distinct advantage over the other online customers.

6         The other point is, MGI is no longer in the

7    exclusive domain of the very large customers.  There are

8    eight to ten dedicated MGI users in the industry.  There are

9    probably 20 or 30 other companies that take advantage of MGI

10   in a shared environment.  And that's accessible to the

11   entire industry at a relatively reasonable cost.  So the

12   real question is, do you want to dumb down the interface so

13   that the cheapest, and I use the term loosely, the cheapest

14   RespOrg, the one who wants to spend the least, sort of

15   drives the industry.  And so that the person who gets

16   online, you know in front of a terminal, and can reserve ten

17   numbers should have the same advantage as the company who

18   invests thousands, tens of thousands, or millions of dollars

19   in getting an advantage.

20        The second point is, and I'm sure other people

21   will say this more, if you force companies that use either

22   scripting or an MGI interface to go just online for certain

23   capabilities, the systems they've built to interface with

24   the rest of their back end processing won't work.  In

25   effect, you'll force them not only to go slower and less

1    efficiently, you'll force them to double provision. Because

2    that's not how they've built their system. I'll leave it at

3    that. I may have some more comments afterwards.

4            MS. GORNEY: Okay. Could I have Chris Rugh, from

5    WorldWide Telegraph?

6            MR. RUGH: Chris Rugh, from WorldWide Telegraph.

7    We believe that there should be one link to the system.

8    Thurgood Marshall successfully argued in Brown v. The Board

9    of Education, that separate could not be equal. And the

10   same goes for this particular situation. To have three

11   separate, or even two separate, interfaces with, you know

12   with a detailed program for users to use really is not

13   effective. Okay. These changes that come into the system

14   are done by committee. What's good for one system is not

15   good for the other system. So it really always does come

16   down to my system is better than your system, and I want my

17   system to be better than your system, so there's a lot of

18   stalin that goes on to the other system.

19           When you look at the ones that we have now, we

20   have MGI, we have GUI, and we have the 3270. 3270 is on its

21   way out. GUI is stalled, for lack of a better word. And

22   the SNAC, being dumbed down. And MGI is currently what MGI

23   is, it's a multi-faceted unit. Now I currently use a shared

24   MGI interface because the things that come out of the

25   committee are not appropriate, are not fast enough, are not

1    flexible enough for my business.

2          We believe that if there were one link with some

3    sort of scripting or programmable interface at a reasonable

4    cost, because I really don't believe that it really has to

5    take a million dollars to get some sort of programmable

6    interface link to the system.  If there was something at a

7    reasonable cost that small and large users could use, it

8    evens the playing field, it gives everybody the first

9    starting point, and still allows somebody who wants to spend

10   a million, or ten million, or 50 million dollars, or

11   whatever, on their system to have a better system than the

12   person who wants to be cheap and spend a thousand or 500.

13         MS. GORNEY:  Okay.  Peter, could you speak next?

14         MR. GUGGINA:  Thank you.  Peter Guggina, WorldCom.

15   WorldCom agrees with Sprint's comments, and we should not be

16   forced to change our practices.  We've made significant

17   investments in this area, and we believe that the MGI system

18   is serving us today, and that if anybody wants to be on it,

19   they can be on it.  In particular, the smaller carriers

20   can -- or interested parties can use the shared environment.

21   So there really isn't any discrimination when they have the

22   opportunity to do it.  It's just a matter of whether or not

23   they want to select or decide whether they want to do it.

24         As was suggested by one of our colleagues, that it

25   is not a proper thing to do, to dumb down the system, to

1    meet the least common denominator.  And that really is what

2    this comes down to.  So people should, if they want to be on

3    the same system, be on the same system.  They have the

4    opportunity to do that.  Thank you.

5            MS. GORNEY:  Okay.  Loren Stocker, from Vanity

6    International?

7            MR. STOCKER:  Thank you.  Yes.  I actually, I

8    agree with the carriers.  I think the MGI is not an

9    offensive system to anyone.  That's really not the issue

10   here though.  The only time that there's been a problem is

11   when the initial hour of launching of the new exchanges Eric

12   Fishman mentioned, 866, 877, the small users were not slowed

13   down, but they were in fact shut out for about 45 minutes.

14   That is an eternity.  Now during that time, all of us

15   realized who watched this thing take place, that AT&T,

16   during the 877 launch, had issued and received reservations

17   on tens of thousands, if not hundreds of thousands, of

18   numbers.  Now that wouldn't have been a problem if the dial-

19   up user was not shut out and they could continue to process,

20   and ask, and receive attention from the system, but they

21   were completely shut out.

22           The 866 launch, which came subsequent to that, MCI

23   and some of the other carriers got smart and they too wrote

24   some scripting, and then everybody got shut out but the big

25   guys.  And again, 45 minutes, 30 to 45 minutes, we were shut

1    out of the system, were not allowed to access anything.

2    This is the source of the petition to stop the MGI interface

3    from having such a competitive advantage.  It's not a day-

4    to-day operation.  No one should have -- I agree with the

5    carries, they should not have to redo anything.

6          The only issue is here, during a launch, and hits

7    is -- if it ever happens again with 855, all that needs to

8    be done is the MGI users have to be slowed down for that

9    first couple hours so that everybody else gets in, and they

10   don't completely dominate the field, and lock other people

11   out.  I'd like an MGI interface too.  I'd even like a shared

12   MGI interface, but it's a matter of cost.  Not everybody can

13   afford that.  Anyway, that's the perspective I'd like to

14   share.  There's nothing wrong with the MGI at all, it's only

15   for that initial hour or two of launch that it creates a

16   huge advantage at everyone else's detriment.

17          MS. GORNEY:  Okay.  Thank you.  And could I have

18   Jim speak next?

19          MR. GRUDUS:  Jim Grudus, from AT&T.  I don't have

20   knowledge of the opening of the codes, my client would.  So

21   I apologize for my lack of knowledge to be able to respond

22   to that.  But what I can tell you is that AT&T feels very

23   strongly that this component of the industry is a free

24   market where everyone is allowed to choose what resources

25   they're going to devote to developing their systems, and no

1    one is shut out from choosing to develop in a certain way.

2    And to dumb down to a certain level is an incredible

3    perversion of the free market that would be very detrimental

4    to the industry.

5            We've sunk a lot of costs into developing systems

6    and using them because we believed in a business model, that

7    this was an important component to us. Others can do it in

8    whatever fashion they choose. But you should not deprive us

9    of the opportunity in a free market to devote resources, if

10   we choose to, to try to take advantage of something that

11   everyone else can take advantage. That's key. It's not

12   something that's exclusive to a carrier.

13           If you choose to devote the resources or to create

14   a coalition to go in and devote the resources, again, I do

15   apologize, I don't have the best technical knowledge here to

16   be able to put the specifics around it. But it is a very

17   strong point for us, that millions and millions of dollars

18   have been spent on the systems to connect internally to the

19   system. So to take this away or somehow fundamentally alter

20   it to a single system, is a huge problem for us, already

21   having spent substantial resources to develop to a system

22   that everyone else can also do the same thing to.

23           I should leave it there. But that is -- it is a

24   very strong point for us, that you can't discriminate

25   against those who choose to devote the resources as long as

1     anyone else can choose to allocate their resources in

2     whatever fashion they choose to, to take advantage because

3     they have the same opportunity to take advantage of the

4     system that is there.

5     MS. GORNEY: Okay. Thank you. And could I have

6     Norina Moy, from Sprint?

7     MS. MOY: We agree with WorldCom, and AT&T, and

8     CFS. And my recollection is that the problem which caused

9     some GUI and online users to be blocked out on a previous

10     code opening, was rectified subsequently. I think that

11     whatever the problem was, it no longer exists.

12     MS. GORNEY: Okay. And I actually wanted to

13     address that statement that Norina said. Has this problem

14     been rectified from the last rollout? And I will have Anil

15     respond, from DSMI.

16     MR. PATEL: Thank you. I have two comments, and

17     they are addressing the MGI, which is known MGI issue,

18     especially the time of code opening. During the year 2000,

19     we held an extensive concentration discussion with the

20     industry under the auspices of ATIS and SNAC, and is noted

21     as mentioning. We incorporated several changes to the

22     number reservation processes that would take care of some of

23     the concerns that have been raised here.

24     MS. GORNEY: Okay. And does anyone from AFTA have

25     a response to that?

1          MR. KNISHBACHER:  Yes.  We have a few points we

2     need to make.  First of all, it should be very clear that

3     SMSI has always represented to the Commission that access on

4     the three different interfaces is equal.  SMSI has never

5     claimed that MGI gets preferred access.  And we're not

6     talking about cheap access, we're talking about efficient

7     access.

8          It's certainly interesting to hear the users of

9     mainframe computer systems and MGI interfaces that were

10    designed ten or 15 years ago talking about dumbing down to

11    the internet.  Well I mean, we're really not dumbing down to

12    the internet, we're learning that there are much more

13    efficient ways of doing things today than there were when

14    MCI and AT&T invested their millions and millions of dollars

15    in all that software.  And there is a way that the whole

16    playing field can be levelled.

17         And with respect to whether it was rectified, my

18    company was involved in both the 877 and the 866 rollouts.

19    The 877 was a disaster.  For about an hour and a half the

20    system locked up completely.  And then -- so we were very

21    active in early 2000, with the Commission because we

22    concerned about the 866 and 855.  And we were assured by

23    SMSI that 866 would be fine.  And we're the ones who filed

24    the petition, after the 866 rollout, with documented

25    affidavits as to all the problems that occurred with 866.

1     And it was on the basis of our petition that the Commission

2     suspended the 855 rollout. And we do not know whether they

3     have been corrected or not.

4          But one thing that the Commission has think about

5     here is that there's this whole policy of first-come, first-

6     serve, which is a good policy. But I think when you thought

7     about first-come, first-serve, you're talking about if my

8     customer wants a number today, and MCI's wanted it three

9     months ago, I shouldn't get it. Or if I want it today, and

10    someone else wants it two months from now, well it's too

11    bad. It's not first-come, first-serve.

12         I don't think you envisioned 355 RespOrgs lining

13    up at the starting line for two hours every three or four

14    years when a code rolls out to see which mainframe computer,

15    that ten or 20 million dollars have been invested in, can

16    beat another. Because really what you're doing here is

17    saying, these numbers are up for sale, and the first 200 or

18    300,000 get reserved every time a code is rolled out in the

19    first two hours. You're basically saying, whoever invested

20    the most money and wants to put as much money on the table

21    as possible, can acquire these numbers. And that's what's

22    happened with the last two rollouts.

23         MS. GORNEY: Okay. And so you are still concerned

24    that the same problem will occur once --

25         MR. KNISHBACHER: Absolutely. As I think Mr. Rugh

1    said, the important thing, there should be one interface and

2    one system for assuring that all users and all RespOrgs have

3    equal access.  Because first-come, first-serve doesn't mean

4    half a millisecond earlier, or half a millisecond later.

5    And my customers asked for the number at the same time MCI

6    and AT&T's customers asked for the number.  We're all lining

7    up at the starting gate, and there ought to be an equitable

8    system so that the customers have an equal chance.  And the

9    customers shouldn't have a better chance of getting a number

10   through AT&T or MCI, because that defeats the purpose of

11   having a competitive market.  You want the customer to have

12   an equal right no matter which carrier they use, which is

13   the whole reason why the database was created, so that

14   customers can choose their carrier, and won't choose the

15   carrier based on the carrier's interface with the database.

16          MS. GORNEY:  Okay.  Does anybody else have any

17   comments?  Okay.  Peter, you raised your hand first.

18          MR. GUGGINA:  Thank you.  Peter Guggina, WorldCom.

19   I just want to mention that WorldCom is well aware of the

20   internet and the great things that the internet brings.  So

21   with that said, I want to draw an analogy.  You've heard

22   companies say that they've made tremendous investments in

23   existing systems, well let's draw an analogy.

24          A lot of times there's a lot of analogous cases

25   between the airline industry and the telecommunications

1    industry.  Well if Boeing comes out with a brand new

2    aircraft like the 777, the carriers, the airline carriers

3    such as American Airlines, doesn't throw away all their old

4    planes to go out and replace it because they have a

5    significant investment in their old planes.  There's a life

6    cycle that those old planes have to go through.

7         And our technology, our equipment is the same

8    thing, we cannot just throw out, we shouldn't be made to

9    throw out all this because there's a different way of doing

10   it.  And it's debatable whether it's better or not, and so

11   forth.  So that should be taken into consideration.

12        MS. GORNEY:  Okay.  Chris?

13        MR. RUGH:  Chris Rugh, WorldWide Telegraph.  I

14   actually agree with Peter and Mitchell.  I don't believe

15   that MGI users who have invested millions of dollars should

16   have to throw away their systems.  And I also believe that

17   we should have an equal starting point that we can afford.

18   Right now there's a huge gap in starting points.  So either

19   you can go with the 3270, which is scriptable, the GUI is

20   not.  3270 is clunky, and I think that was invented back in

21   the 1950s or something.  Or you could go with MGI that has a

22   starting point at a million dollars.  So which means that

23   your company's going need to do about ten million dollars a

24   year.  So what do you do for those companies that only

25   generate a million or five million dollars a year?  They're

1    not going to have the capitol to invest into an MGI system

2    to have the flexibility to do what they need to do to be

3    competitive.

4    What I suggest is, is that we create some sort of

5    scriptable interface so that you don't have to have half a

6    million dollars worth of testing, and you don't have to have

7    a $500,000 fee on the up front to get your system up and

8    running.  You can just go and you can plug in, utilizing

9    some sort of scriptable interface, and you can design your

10    own program, your own interface.  So you can foster more

11    companies like Steve Levinn's company, which is a creative,

12    excellent company that provides an excellent service to this

13    industry.  And so it -- and Steve Levinn's a god.

14    MR. RUGH:  Okay.  I use Steve's system, by the

15    way.  So the long and the short of it is, is everybody

16    should start out at the same space.  But if you invest more,

17    and you want to invest five or ten million dollars in your

18    system, I believe you should have a better shot at getting

19    those 800, or 866, or 855 numbers, and what have you.  Okay.

20    So I do agree with both.

21    MS. GORNEY:  Okay.  Steve?

22    MR. LEVINN:  How could I resist?  Thanks for the

23    advertisement.  There's a couple of comments.  I mean, there

24    have been general comments talking about code openings, and

25    I don't know how you ever solve the problem of people's

1    access unless you hold -- unless everybody tells you ahead

2    of time what numbers they want and you sort of round robin

3    allocate.  If you have a systemic way to do it, then

4    someone's going to get it faster than someone else.  If

5    everyone was on MGI, then someone would be more clever and

6    pump their requests through faster.  So I'm not sure how you

7    solve that.  There's two other issues though.

8            The MGI user, or the scriptive user, has other

9    business advantages that they've decided to invest in.  I

10   mean, they can modify their routing more quickly and more

11   often to take advantage of price breaks from other carriers.

12   The online user, who is completely manual, has chosen not to

13   do that either because the price breaks don't justify it, or

14   because they don't want to make the initial investment.

15           The other point is, if we ever get around to

16   talking about a new system, we could build a common

17   interface into the SMS/800.  That still will not make the

18   playing field level from your perspective of a code opening.

19   Again because someone, even if the interface is exactly the

20   same, multiple users will come up with ways to get more

21   numbers faster than others.  And that's the reality of the

22   technology.  Unless you completely manual it, or you do a

23   lottery, everybody submits their numbers and you draw names

24   out of a hat, you're not going to solve that particular

25   problem.

1          The third point is, purely from marketing that's

2     going to be struck, it's nowhere near half a million dollars

3     to get a fully implemented private MGI system from a user's

4     perspective.  And anybody wants to talk about it, we can.

5          MS. GORNEY:  Okay.  Yes, Art?

6          MR. BROTHERS:  Art Brothers, Beehive Tel.  This is

7     really not an issue for us.  However, I'm amused by Jim's

8     comment from AT&T of open market.  And the thought occurred

9     to me, okay, just let the new numbers be put up on E-Bay and

10    let them auction off.  The Commission is well known for

11    earning tons of money from selling cellular, and

12    frequencies, and all that stuff.  Hey, it's a great

13    opportunity.  You guys can get some dough.

14         MS. GORNEY:  Okay.  We'll do that.

15         FEMALE SPEAKER:  Jim will consider that.

16         MS. GORNEY:  Yes.  Rephrase that, we will

17    consider.  Okay.

18         MS. OTEO:  I'd just like have it noted on the

19    record -- this is Ellen, from -- I'm sorry.  This is Ellen,

20    from SMS/800, representing the Box, providing the service.

21    I just want it noted on the record for all the types of

22    interfaces that interconnect to SMS/800, each interface does

23    have the ability to reserve up to ten numbers at a time, and

24    to activate one at a time.  So this discussion really does

25    boil down to the speed with which they want to keep those

1   requests flowing and the technology that they choose to

2   avail themselves of.

3           MS. GORNEY:  Okay.  Does anyone have any other

4   comments?  No?  Okay.  It's about 2:45 right now, so I'm

5   going to recommend that we take a break, and reconvene at

6   3:00.  Thank you.

7           (Whereupon, a short break was taken.)

8           MS. GORNEY:  Hi.  Welcome back again.  I'm

9   Jennifer Gorney, the moderator.  Just to recap from the last

10  session, I had a gentleman approach me after the first

11  session and inform me that the audience was not aware that

12  they were allowed to ask questions after each sort of

13  discussion.  And so I just wanted to give about five to ten

14  minutes to allow the audience to ask any questions they may

15  have.  So.  Yes?  Please stand up at the mike and state your

16  name.

17          MR. BARTEL:  My name is Richard Bartel.  I'm with

18  Communications Venture Services, Inc.  I'm also designated

19  by the FCC as a member of the North American Numbering

20  Council's Dispute Resolution Task Force, which hasn't been

21  active lately.  And I'm also an elected official here

22  locally in the District of Columbia Government, so I have a

23  little political perspective on this.

24          I think that there was a good analogy that was

25  brought up earlier about parking spaces.  And I think what

1    you see here with RespOrgs and carriers is the analogy is,

2    is the valet parkers who go and find an available space, and

3    then the street people who try to extract money and put an

4    orange cone in the space and then say, I'm going to protect

5    your car for you and try to collect money for that.  What we

6    have here is a admitted and defined public resource.  And I

7    think that the policy of the Commission is very well taken

8    and it should stick to that policy.  Actually, in my

9    opinion, the Congress should put it in black and white, in

10   black letter law, and say that these are resources that are

11   community property, essentially public property.

12           The problem we have here is we've got the tension

13   between this public property and the free market

14   commoditization of the numbers, and a rush when there's a

15   code opening to get those numbers.  We were a victim of that

16   rush back when 800-555 was opened.  We found out that the

17   carrier involved in the mechanized interface had obtained

18   tens of thousands, or no thousands, of 800-555 numbers.  And

19   then after investigation and an emergency petition by

20   Southern New England Telephone, found out that they gave

21   back six to eight thousand of the numbers because they

22   didn't have customers asking for them.  So the mechanized

23   interface was at issue at the time.

24           So I'm in favor, and we're in favor, of this open

25   interface where even the end-user, or the customer, or the

1   subscriber can have access to it, and maybe even by random

2   selection, pick their own RespOrg, or by random selection,

3   have a RespOrgs picked for them if they don't choose one

4   from the authorized RespOrg list.  I think the FCC should

5   define the prohibited acts, and as the free marketeers have

6   said, essentially let everything go as long as it's not

7   defined as a prohibited act.

8           However, you've got the problem here that a lot of

9   these prohibited acts of warehousing and hoarding are

10  facilitated by the so-called legitimate business transfers

11  that were spoken of.  And so the art of Washington, and the

12  political art is, let's try to make this look like we're

13  doing something, but we're really not doing something.

14  We're just simply establishing and bolstering the status quo

15  of the economic interests of the status quo.  And so I think

16  as public policy is concerned, there has to be enforcement

17  under part 52, and 52-111, or 107 I think it is, has to be

18  vigorously enforced.

19          The complaints, it was said that there were only

20  three complaints by a carrier, or maybe 50 complaints in the

21  Bureau, but you have to realize that there's 20,000 pending

22  informal complaints in the Commission.  Not to mention what

23  has formally been filed through lawyers.  So there was no

24  mention made how many informal complaints there are that

25  involve in toll-free numbers.  I think the interface should

1    be normalized, and this tension should be adjudicated by the

2    FCC administratively, if not by the Congress.  Thank you.

3             MS. GORNEY:  Okay.  Do we have any brief comments,

4    or anyone else from the audience would like to ask

5    questions?  No?  Okay.  Thank you.

6             Okay, then.  We're going to be moving on to the

7    second session in this forum.  The overall topic of this

8    session is whether to restructure the current toll-free

9    system.  And what changes would be needed to restructure the

10    system?  And the first question we ask is, should ownership

11    in operation of the toll-free database be transferred to an

12    entity that is not affiliated with any segment of the

13    telecommunications industry?

14             And for this question, I'm going to ask Ellen

15    Oteo, from SMT, to speak first.

16             MS. OTEO:  This is Ellen Oteo, from the SMS/800

17    Management Team.  Our answer to that is, while we don't see

18    any compelling need to make such a change, three of the four

19    companies involved in providing this service are ready to be

20    relieved of their obligation to continue to provide this

21    service.  We would like to exit the business, after of

22    course, providing for an orderly transition.  The fourth

23    company involved in providing this service is discussing

24    this issue internally within their company, and it's not at

25    liberty today to make that statement.

1          MS. GORNEY:  Okay.  Thank you.  Steve Levinn,

2     could I have you speak next, please?

3          MR. LEVINN:  We would support an operational

4     transfer, but under certain conditions.  Again, there's a

5     significant investment made in the way RespOrgs access

6     SMS/800.  I'm talking specifically about MGI, because that's

7     a defined interface which is expected to have machine-to-

8     machine access.  Any transition of the operation of a

9     current system, or any new system, should have to take into

10    consideration the API as it's defined today, and whether a

11    new system would support that and enhance the API, rather

12    than coming up with a completely new design that may be

13    technically equivalent, but different, and therefore force

14    everyone to change what they've done for no good technical

15    reason.

16         There are a lot of solutions that were mentioned

17    today about a common interface.  One possibility, as

18    mentioned earlier, is have a common MGI type interface at

19    SMS/800, and that's the only interface that exists.  And as

20    part of the overall service, the provider of what is

21    currently called SMS/800 would bill the user interface on

22    top of that MGI interface, so there's only one way to go

23    into the system.  So we'd support a structure that would

24    transfer that control and at the same time, develop a new

25    system that would clearly have one way in and out, and then

1   speed would be the only issue.

2          MS. GORNEY: Okay. Thank you, Steve. And could I

3   have Marcel, from NeuStar, speak next, please?

4          MR. MARCEL: Thanks, Jennifer. Marcel Champagne,

5   from NeuStar. Firstly, NeuStar would like to state that

6   neutral and unaffiliated entities do exist in the industry

7   that today provide ownership and operation of numbering

8   databases on behalf of the industry. NeuStar is in fact one

9   of those. There are a number of other industry segments

10  that have found that implementation of having a owner

11  operator of such numbering bases be unaffiliated and neutral

12  has proven to be effective at ensuring fair and evenhanded

13  treatment of all the industry participants. And in fact,

14  also has proven very effective at managing any type of

15  competitively sensitive data on behalf of the industry.

16  Thank you.

17         MS. GORNEY: Okay. Thank you. And next could I

18  have Chris Rugh speak?

19         MR. RUGH: Chris Rugh, with WorldWide Telegraph.

20  We believe that a neutral third party is good. We also

21  would ask that the Commission take a look at possibly some

22  other options, maybe some sort of non-profit entity,

23  completely unaffiliated, not even driven by money. Just

24  keep in mind -- we ask that the Commission keep in mind that

25  this particular entity is going to be a resource for all the

1    RespOrgs, and we want to make sure that it's sole purpose is

2    to provide a service to the RespOrgs, and not to provide a

3    service unto itself.

4            MS. GORNEY: Okay. Thank you. And Peter?

5            MR. GUGGINA: Peter Guggina, WorldCom. WorldCom

6    also believes that the database should be managed, and the

7    system itself should be managed by a trusted third party.

8    One of the premises of this opinion is that it's what we

9    have in the North American Numbering Plan Administration

10   area, it's what we have in local number portability, what we

11   have in number pooling, et cetera. We believe that the same

12   laws and rules that specify the neutral third party

13   requirement in those aforementioned areas apply also to the

14   toll-free environment. So we think that that's a

15   fundamental given.

16           As far as who it should be, and how it should be,

17   and so forth. I don't know if we have to get into those

18   details, but we do have some ideas on that. The main thing

19   that we need to consider, though, is that we need to ensure

20   that if there's any transfer or whatever, the first order of

21   priority is, is that there should be a level playing field

22   for making decisions on what gets changed to the system. If

23   there are system changes and so forth today, we, the

24   industry, ask. But we're not in the same position that we

25   are as in local number portability because in local number